

N° 2607.

GRANDE-BRETAGNE
ET IRLANDE DU NORD
ET CHINE

Convention pour la rétrocession de
Wei-Hai-Wei, avec annexes, et
accord concernant certaines facilités
concedées à la marine de Sa Majesté
britannique après la rétrocession,
avec une annexe. Signés à Nankin,
le 18 avril 1930.

GREAT BRITAIN
AND NORTHERN IRELAND
AND CHINA

Convention for the Rendition of
Weihaiwei with Annexes and
Agreement regarding certain Faci-
lities for His Majesty's Navy
after Rendition with an Annex.
Signed at Nanking, April 18, 1930.

2607. — CONVENTION ¹ BETWEEN HIS MAJESTY AND THE PRESIDENT OF THE NATIONAL GOVERNMENT OF THE REPUBLIC OF CHINA FOR THE RENDITION OF WEIHAIWEI AND AGREEMENT REGARDING CERTAIN FACILITIES FOR HIS MAJESTY'S NAVY AFTER RENDITION. SIGNED AT NANKING, APRIL 18, 1930.

Texte officiel anglais communiqué par le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement de cette convention a eu lieu le 6 février 1931.

I.

CONVENTION FOR THE RENDITION OF WEIHAIWEI.

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, and HIS EXCELLENCY, THE PRESIDENT OF THE NATIONAL GOVERNMENT OF THE REPUBLIC OF CHINA, desiring that the territory of Weihaiwei leased by China to His Britannic Majesty under the Convention ² of the 1st July, 1898, should be restored in full sovereignty to China, have resolved to conclude a Convention for that purpose and to that end have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :

FOR GREAT BRITAIN AND NORTHERN IRELAND :

Sir Miles Wedderburn LAMPSON, K.C.M.G., C.B., M.V.O., His Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Republic of China ;

HIS EXCELLENCY THE PRESIDENT OF THE NATIONAL GOVERNMENT OF THE REPUBLIC OF CHINA :

Dr. Chengting T. WANG, Minister for Foreign Affairs of the Republic of China ;

Who having communicated their full powers, found in good and due form, have agreed as follows :

Article I.

The territory of Weihaiwei, as delimited by the boundary stones fixed by the boundary Commission of 1899-1901, comprising a belt of land 10 English miles wide along the entire

¹ L'échange des ratifications a eu lieu à Nankin, le 1^{er} octobre 1930.

² DE MARTENS, *Nouveau Recueil général de Traités* deuxième série, tome XXXII, page 90.

¹ TRADUCTION. — TRANSLATION.

N^o 2607. — CONVENTION ² ENTRE SA MAJESTÉ ET LE PRÉSIDENT DU GOUVERNEMENT NATIONAL DE LA RÉPUBLIQUE DE CHINE POUR LA RÉTROCESSION DE WEIHAIWEI, ET ACCORD CONCERNANT CERTAINES FACILITÉS CONCÉDÉES A LA MARINE DE SA MAJESTÉ APRÈS LA RÉTROCESSION. SIGNÉS A NANKIN, LE 18 AVRIL 1930.

English official text communicated by His Majesty's Secretary of State for Foreign Affairs in Great-Britain. The registration of this Convention took place February 6, 1931.

I.

CONVENTION POUR LA RÉTROCESSION DE WEIHAIWEI

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES, et SON EXCELLENCE LE PRÉSIDENT DU GOUVERNEMENT NATIONAL DE LA RÉPUBLIQUE DE CHINE, désireux que le territoire de Weihaiwei, donné à bail par la Chine à Sa Majesté britannique, en vertu de la Convention ³ du 1^{er} juillet 1898, soit restitué en pleine souveraineté à la Chine, ont décidé de conclure une convention à cet effet et ont désigné, à cette fin, pour leurs plénipotentiaires :

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES :

POUR LA GRANDE-BRETAGNE ET L'IRLANDE DU NORD :

Sir Miles Wedderburn LAMPSON, K.C.M.G., C.B., M.V.O., envoyé extraordinaire et ministre plénipotentiaire de Sa Majesté auprès de la République de Chine ;

SON EXCELLENCE LE PRÉSIDENT DU GOUVERNEMENT NATIONAL DE LA RÉPUBLIQUE DE CHINE :

Dr Chengting T. WANG, ministre des Affaires étrangères de la République de Chine ;

Qui, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus de ce qui suit :

Article premier.

Le territoire de Weihaiwei, tel qu'il est délimité par les bornes posées par la Commission de délimitation de 1899-1901, comprenant une bande de terre d'une largeur de dix milles anglais

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Nanking, October 1, 1930.

³ *British and Foreign State Papers*, Vol. 90, page 16.

coastline of the Bay of Weihaiwei and including Liukungtao and all other islands in the Bay of Weihaiwei, is hereby returned by His Britannic Majesty to the Republic of China.

Article 2.

The Convention for the lease of Weihaiwei, concluded on the 1st July, 1898, is hereby abrogated.

Article 3.

The British garrison now stationed in the territory of Weihaiwei, including Liukungtao, shall be withdrawn within one month from the date of the coming into force of the present Convention.

Article 4.

The Government of the United Kingdom of Great Britain and Northern Ireland will hand over to the National Government of the Republic of China such archives, register, title deeds and other documents in the possession of the British Administration in Weihaiwei as may be useful for the transfer of the administration, as well as those that may be useful for the subsequent administration of the territory by the National Government.

Article 5.

The Government of the United Kingdom will present to the National Government of the Republic of China all lands and buildings in the territory of Weihaiwei belonging to the first-named Government.

Article 6.

The Government of the United Kingdom will hand over to the National Government of the Republic of China, without compensation, all works and purchases, including the steam launch "Gallia," made under the special levy in respect of the Victory Pier and the Wukou Improvement Scheme.

Article 7.

The Government of the United Kingdom will present to the National Government of the Republic of China the Chefoo-Weihaiwei cable and the Government stores, including those detailed in Annex I.

Article 8.

The Government of the United Kingdom will hand over to the National Government of the Republic of China, free of charge, the Civil Hospitals at Port Edward and Wenchuantang, including land and building and present equipment.

Article 9.

The Government of the United Kingdom will return to the National Government of the Republic of China all land previously owned by the Chinese Government on Liukungtao, together with the

buildings thereon, and will further hand over all the land subsequently acquired by purchase and all Crown leases in respect of sites on that island with the reversionary interest in the buildings on the land so leased.

Article 10.

The transfer of the Administration of Weihaiwei and the transfer of public properties in the said territory, as well as of other matters under the present Convention, shall take place on the day of coming into force of the said Convention.

Article 11.

When the National Government of the Republic of China assumes the administration of the territory of Weihaiwei after rendition, the existing regulations, including land and house tax, sanitary and building regulations, and policing will as far as possible be maintained.

Article 12.

All documents of title to land deeds of conveyance and mortgage and *Chihchao* under the British Weihaiwei Waste Land Ordinance No. 6 of 1919, issued to Chinese owners by the British Administration of Weihaiwei in the form prescribed within the territory of Weihaiwei, shall, subject to the terms contained therein, be recognised as being of the same validity as during the British administration, unless the documents of title are contrary to Chinese law making revision or issue of additional documents of title necessary.

Article 13.

All documents of title to land issued to persons other than Chinese by the British Administration of Weihaiwei in the prescribed form shall be exchanged for Chinese deeds of perpetual lease in the same form as those recently issued by the Chinese authorities to foreign lot holders in the former British Concession at Chinkiang, a registration fee of \$1.00 per mow being charged.

All leases issued by the British Administration of Weihaiwei will be recognised by the National Government of the Republic of China.

If the National Government of the Republic of China should decide to close the port of Weihaiwei to foreign residence and trade, with a view to utilising it exclusively as a naval base, the interests of the foreign property owners and lease-holders will be bought out at a fair compensation to be agreed upon between the Governments of China and the United Kingdom, who will appoint a joint commission for determining the amount of this compensation in each case.

Article 14.

The National Government of the Republic of China will maintain the existing public services, employing such staff as it may select, including particularly the telephone service on the mainland and connection with the island and the telegraph service between Weihaiwei mainland and island and Chefoo.

Article 15.

All decisions of the British Weihaiwei High Court or magistrates' courts pronounced before rendition shall be considered after rendition to have the same force and effect as if they were decisions rendered by Chinese courts of justice.

Article 16.

The National Government of the Republic of China will, unless and until they decide to close the port of Weihaiwei and reserve it exclusively as a naval base, maintain it as an area for international residence and trade, including within such area all places in which foreign property owners and lease-holders are at present located.

Article 17.

Pending the enactment and general application of the laws regulating the system of local self-government in China, the Chinese local authorities will ascertain the views of the foreign residents at Weihaiwei in such municipal matters as may directly affect their welfare and interests.

Article 18.

The National Government of the Republic of China will, unless and until they decide to close the port of Weihaiwei and reserve it exclusively as a naval base, lease to the Government of the United Kingdom free of charge for a period of 30 years, with option of renewal by the holders, certain land and buildings in the territory of Weihaiwei, as detailed in Annex II, for the requirements of the British Consulate and the public interests of the residents.

Article 19.

Existing aids to navigation, *i. e.*, light-houses, mark-buoys, storm-signals, &c., shall be transferred to the National Government of the Republic of China free of charge, and shall be maintained in the future by the competent Chinese authorities, who shall administer the harbour in the same way as at the open ports of China.

Article 20.

The present Convention shall be ratified, and ratifications thereof shall be exchanged at Nanking on or before the first day of October, 1930, which is the first day of the tenth month of the nineteenth year of the Republic of China.

It shall come into force from the date of the exchange of ratifications.

In faith whereof the above-named Plenipotentiaries have signed the present Convention in duplicate and have affixed thereto their seals.

Done at Nanking this eighteenth day of April, nineteen hundred and thirty, corresponding to the eighteenth day of the fourth month of the nineteenth year of the Republic of China.

(Seal.) Miles W. LAMPSON.

(Seal.) Chengting T. WANG.

ANNEX I TO THE CONVENTION.

Stores to be handed over to the Chinese Authorities,

Include the following :

- Part of furniture in offices and houses.
- Telegraph cable (island and mainland).
- S.L. "Alexandra", two boats.
- All lamps and posts in streets and stores for lamps which belong to the Administration of Weihaiwei.
- Sanitary carts and equipment.
- Fire Engine.
- Telephones, poles, insulators, wire and exchange.
- Police uniforms (in use and in store).
- Various police stores.
- Cycles.
- Rifles, etc. (in use by police), with ammunition.
- Telephone cable (island and mainland).

ANNEX II TO THE CONVENTION.

List of the Land and Buildings in the Territory of Weihaiwei to be Leased by the National Government of the Republic of China to the Government of the United Kingdom of Great Britain and Northern Ireland.

The senior district officer's house, grounds and stables are to be leased for use as a consular residence and the non-commissioned officers' mess and grounds for use as consular offices.

The two foreign cemeteries, one in Port Edward and one in Liukungtao.

Block "A" of the former barracks is to be loaned for use as a British Club, provided, however, that, in case the said club should cease to exist, the building shall revert to the National Government of the Republic of China without compensation.

As regards the piece of waste land known as the parade ground, it is agreed that it shall continue to be used as at present as an international recreation ground and golf course unless it is required for public purposes, including port development, in which case the Chinese Administration undertakes first to provide in lieu an equally suitable recreation ground and golf course elsewhere.

A map¹ showing the land and buildings above referred to, with the exception of the civil cemetery on Liukungtao, is attached.

II.

AGREEMENT.

The Undersigned having been duly authorised by their respective Governments have agreed as follows :

Article 1.

The National Government of the Republic of China will loan to the Government of the United Kingdom of Great Britain and Northern Ireland as a sanatorium and summer resort for the use of His Britannic Majesty's Navy a certain number of buildings and facilities, as detailed in the Annex attached hereto, on the island of Liukungtao in the Bay of Weihaiwei for a period of ten years, with the option of renewal on the same terms by agreement or on such other terms as may be agreed upon between the two Governments. Upon the termination of the period of the loan all the land and buildings shall revert to the National Government.

¹ Not reproduced in this Series.

Article 2.

The National Government of the Republic of China will as far as possible maintain efficiently the existing system of municipal services on Liukungtao (*i. e.*, roads, wharves, police, sanitation and lighting), conserve the existing forest, permit no brothels, permit the sale of no liquors or intoxicants except in licensed premises, and maintain the present regulations as regards cultivation. The National Government undertakes that, in the event of the sale, or grant of leases, of Government land or buildings on Linkungtao, such conveyances or leases shall contain a clause enforcing the observance of the above-mentioned stipulations.

Article 3.

1. His Britannic Majesty's ships and auxiliaries visiting Liukungtao and its waters during the month of April to October, inclusive, will be accorded the use, after the Chinese Navy, of that portion of the anchorage that has been dredged by His Britannic Majesty's Navy. Nevertheless, in the event of war involving either His Britannic Majesty or the Chinese Republic, His Britannic Majesty's ships or auxiliaries shall withdraw from Liukungtao water, in accordance with international usage.

2. Ships of His Britannic Majesty's Navy will be accorded the privilege of towing targets from the aforementioned anchorage to the sea, reasonable care being taken to avoid damage to fishing nets.

3. During the period of the loan to the Government of the United Kingdom of a certain number of buildings and facilities on Liukungtao, as stated in Article 1 of the present Agreement, His Britannic Majesty's Navy will be accorded the privilege of landing men for drill or rifle practice on Liukungtao after obtaining permission from the Chinese authorities, which will be given on application, to be renewed yearly. In the event of local disturbances occurring, such privileges may be temporarily foregone on representations being made by the local authorities.

Article 4.

The importing, storing, shipping and transshipping at Weihaiwei of stores of all kinds for the purposes of His Britannic Majesty's Navy will be permitted according to the usage of the ports open to foreign trade. The Government of the United Kingdom will not store arms or ammunition on Liukungtao.

Article 5.

Existing buoys and moorings that have been laid by His Britannic Majesty's Navy in Weihaiwei waters shall be transferred, free of charge to, and maintained by, the National Government of the Republic of China for the use of His Britannic Majesty's Navy after the Chinese Navy. All these buoys and moorings, however, may be removed from time to time as the Chinese naval or harbour authorities may deem expedient.

Article 6.

The present Agreement shall be ratified, and ratifications thereof shall be exchanged at Nanking on or before the first day of October, 1930, which is the first day of the tenth month of the nineteenth year of the Republic of China.

It shall come into force on the date of the exchange of ratifications.

In faith whereof the undersigned Plenipotentiaries, duly authorised thereto, have signed the present Agreement in duplicate and have affixed thereto their seals.

Done at Nanking this eighteenth day of April, nineteen hundred and thirty, corresponding to the eighteenth day of the fourth month of the nineteenth year of the Republic of China.

(Seal) Miles W. LAMPSON,
For the Government of the United Kingdom
of Great Britain and Northern Ireland.

(Seal) Chengting T. WANG,
For the National Government of the
Republic of China.

ANNEX TO THE AGREEMENT.

List of facilities to be granted and Land and Buildings on Liukungtao to be leased to the Government of the United Kingdom of Great Britain and Northern Ireland by the National Government of the Republic of China.

1. Golf Club and golf club-house.
2. Royal naval canteen teahouse.
3. Naval cemetery.
4. Admiralty village.
5. Warrant officers' club and tennis courts.
6. Officers' and men's recreation grounds together with the buildings thereon and the hockey and cricket grounds and tennis courts ; and the officers' " squash " courts.
7. That portion of the " hospital site," with buildings, &c., thereon, situated southward to the road traversing the site about its centre, together with the Commander-in-Chief's tennis courts, as shown on the accompanying plan (marked " A").
8. Commander-in-Chief's office 61 and house adjoining 62.
9. United Services Club and garden 57.
10. Residences Nos. 52, 54, 55, 58, 59, 60, 73 on plan with their gardens.
11. Hospital 53, hospital store 50, residence for sick berth staff 49, and dynamo house 51.
12. Store-houses Nos. 70, 30-40, including 75, 47, 48, 58, 29(a), and two bays of No. 29, *i. e.*, sufficient for the storage of 6,000 tons of coal.
13. Royal Naval canteen (temporarily, pending the provision by the National Government of the Republic of a suitable building in lieu).

NOTE. — The numbers in brackets refer to the numbers on the plan (marked " B ") attached. Joint use with the Chinese Navy of the following facilities, and land and buildings .

- (1) Rifle ranges, including land and buildings.
- (2) Two artesian wells.
- (3) Iron pier.

Also accommodation in camber for naval coal lighters and facilities in respect of coaling coolies.

As regards the quarries to be handed over under the provisions of the Convention for the Rendition of Weihaiwei, the Government of the United Kingdom shall be permitted to obtain stone therefrom when required free of cost.

Two plans¹ (marked " A " and " B ") showing the land and buildings, &c., above referred to are attached.

¹ Not reproduced in this Series.